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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,359	05/31/2001	John J. Light	10559-475001 / P11154	8554

7590 09/09/2004

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/872,359

Applicant(s)

LIGHT ET AL.

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 4 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, and 7-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment A as received on 4-21-2004.

2. Claims 1-29 have been examined.

Status of Claims:

3. Claims 1, 3, 7-9, and 17-24 are rejected under 35 U.S.C. 102(a) as being anticipated by Electronic Arts "Madden 2001", hereinafter EA.

4. Claims 4 and 6, have been canceled.

5. Claims 2, 5, 10-16, and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over EA and Robertson et al., Patent # 6,414,677, hereinafter Robertson.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1, 3, 7-9, and 17-24 are rejected under 35 U.S.C. 102(a) as being anticipated by Electronic Arts "Madden 2001", hereinafter EA.

8. With regard to claim 1, which teaches providing a 2D surface comprising a 2D projection of a 3D space on a display, the 3D space comprising a selected object, the 2D surface appearing to lie obliquely to the display, EA teaches, in

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EAfigs 2-9, a 2D surface (the display screen in which the image is projected on), a 3D space on the display (the screen showing a plane (field) with objects (players) displayed perpendicular to the plane), and the 2D surface lying obliquely to the display. With regard to claim 1, which further teaches enabling a user to move an indicator that is constrained to a 2D surface rendered in a projection of 3D space on a display, where the 2D surface appears to lie obliquely to the display, EA teaches, in EAfig 2 and manual page 15, that there is an indicator, symbolized by the blue sphere, that is constrained to a 2D surface, the field, which lies obliquely to the display. With regard to claim 1, further teaching that effecting an action, with respect to the center of interest, in response to the user's control of the indicator, EA teaches, in EAfig 2 and 3 and manual page 15, show the ability to select an object on the screen.

9. With regard to claim 3, which teaches the 2D surface comprising a plane, EA teaches, EAfig 2, the 2D surfaces being a planar field.

10. With regard to claim 7, which teaches the action comprising altering the projection of the 3D space to indicate motion to the user, EA teaches, in EAfigs 4-6, the view of the object panning around the object in a clockwise motion (looking down on the object).

11. With regard to claim 8, which teaches the action comprising altering the projection of the 3D space to indicate to the user a change in viewpoint in the 3D space along a circular path around the center of interest, on an axis perpendicular to the 2D surface, EA teaches, in EAfigs 4-6, the view of the object panning around the object in a clockwise motion (looking down on the object).

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This change in viewpoint is further realized by the translation of the background on the screen.

12. With regard to claim 9, which teaches the display comprising rendered topographic elements that orient the user's perception of the 3D space, EA teaches, in figures 4-6, the background and the planar field orienting the user in the interface.

13. With regard to claim 17, which teaches displaying a projection of a 3D space on a 2D surface, the 3D space including a user selected object, and the 2D surface including an indicator located at a position corresponding to a position of the user-select object in the 3D space, the projection simulating a user's perspective from a first viewpoint, EA teaches, in EAfig 2 and manual page 15, a projection of a 3D space that has a 2D plane, where a user selectable object casts a shadow on a point, in the plane where the object can be selected through use of the circular indicator and further teaches, in EAfigs 2-9, a 2D surface (the display screen in which the image is projected on), a 3D space on the display (the screen showing a plane (field) with objects (players) displayed perpendicular to the plane), and the 2D surface lying obliquely to the display. With regard to claim 17, further teaching receiving directional cues for the user with respect to the indicator, EA teaches on manual page 3 and in EAfig 2 a group of controls for giving direction cues to the indicator. With regard to claim 17, further teaching determining a second viewpoint based on the directional cue, EA teaches in EAfigs 2 and 3 and manual page 15, by altering the indicators position in the 2D space the representation of the 3D space on the screen is changed. With regard

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to claim 17, further teaching displaying a sequence of projections of the 3D space and a projection of the second viewpoint, the sequence simulating motion from the first viewpoint to the second viewpoint, EA teaches, in EAFigs 4-6 and manual page 15, the movement of the camera is a sequence of shots leading from the initial position of the destination position.

14. With regard to claim 18, which teaches the indicator positioned near or at a point on the surface through which an axis normal to the surface intersects the user selected object, EA teaches, in EAFigs 2 and 3 the user moving the indicator to an axis normal the surface of the object.

15. With regard to claim 19, which teaches the motion comprising motion that circumnavigates the user selected object, EA teaches, in EAFigs 4-6, the view of the object panning around the object in a clockwise motion (looking down on the object).

16. With regard to claim 20, teaching that the second viewpoint includes the user-selected object, EA teaches, in EAFigs 4-6, the view of the object panning around the object in a clockwise motion, but the object remaining at the center of the display.

17. With regard to claim 21, which teaches the second viewpoint including the user-selected object at the same relative position in the projection of the second viewpoint as the position of the user-selected object in the projection of the first viewpoint, EA teaches, in EAFigs 4-6, the view of the object panning around the object in a clockwise motion, but the object remaining at the center of the display.

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18. With regard to claim 22, which teaches a display unit that displays a projection of a 3D space, on a 2D surface, the 2D surface appearing to lie oblique to the display unit, EA teaches, in EAffig 2, that there is an indicator, symbolized by the blue sphere, that is constrained to a 2D surface, the field, which lies obliquely to the display. With regard to claim 22, further teaching a memory unit that stores information about objects located in the 3D space and a user's viewpoint, a user interface configured to receive user controls for moving an indicator on a 2D surface, the indicator on the 2D surface representing selected one of the objects located in the 3D space and located at a position on the 2D surface corresponding to a location in the 3D space, and a processor configured to render the 3D space from the stored information, EA teaches, on pages 2 and 3 of the manual, a system that comprises a memory unit (the game itself) that stores object location information, a user interface (the remote) configured to receive controls, and a processor used to compute the rendering of the 3D space, couple the controls of the controller to the controls as displayed in EAffig 2, and trigger a process based on the location of the indicator (see EAffigs 4-6), where the indicator is represented on the 2D surface of the field, representing one of the objects located perpendicular to the field, in the 3D space.

19. With regard to claim 23, which teaches the second rendering restoring the indicator to a preferred position relative to the display unit, EA teaches, in EAffigs 4-8, that the indicator through the views remains fixed on the selected object, which resides in the center of the display.

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20. With regard to claim 24, which teaches the process comprising selecting an object in the 3D space that is located near an axis that is normal to the 2D surface and that intersects the indicator, EA teaches, in EAfigs 2 and 3 the user moving the indicator near to an axis normal the surface of the object.

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 2, 5, 10-16, and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over EA and Robertson et al., Patent # 6,414,677, hereinafter Robertson.

23. With regard to claim 2, EA teaches the indicator used in a 2D plane as rejected above in the rejection to claim 1. EA, however, doesn't teach the user moving a second indicator on the display, the second indicator not being constrained to the 2D surface. Robertson teaches a 3D environment comprising objects similar to that of EA, but further teaches, in column 7, lines 3-11 and 30-37 and column 9, lines 56-64, the user selecting objects not only through a halo but also through the use of a cursor the can map 2D movements to a 3D display. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the alternate selection method of

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Robertson. One would have been motivated to make such a combination because this would allow for a more efficient selection of objects.

24. With regard to claim 5, EA teaches the indicator used in a 2D plane of a 3D space as rejected above in the rejection to claim 1. EA, however, doesn't teach the objects corresponding to usable files. Robertson teaches a 3D environment comprising objects similar to that of EA, but further teaches, in column 9, lines 12-25, the objects comprising various files, which can be opened, closed, or deleted. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the objects of EA to include files, as did Robertson. One would have been motivated to make such a combination because the file selection in this manner would be a convenient manner of file selection in a 3D interface.

25. With regard to claim 10, EA teaches rendering a first view of a 3D space from a first reference point, the 3D space comprising objects, a 2D surface, a first indicator in the 2D surface (see Eafigs 2-9 and manual page 15), EA teaches, in EAFigs 2-9, a 2D surface (the display screen in which the image is projected on), a 3D space on the display (the screen showing a plane (field) with objects (players) displayed perpendicular to the plane), and the 2D surface lying obliquely to the display, and EA further teaches, in EAFig 2 and manual page 15, that there is an indicator, symbolized by the blue sphere, that is constrained to a 2D surface, the field, which lies obliquely to the display. EA, however, doesn't teach the use of a second indicator movable in the view, and rendering a second

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view of the space as a function of the users control of the second indicator.

Robertson teaches a 3D environment comprising objects similar to that of EA, but further teaches, in column 7, lines 3-11 and 30-37 and in column 4, lines 30-46, the user selecting an object through the user of the second indicator and the display being manipulated rendering a second view as a function of the selection. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the alternate selection and manipulation method as did Robertson. One would have been motivated to make such a combination because selection and manipulation in this manner would be a convenient manner of navigating the 3D interface.

26. With regard to claim 11, which teaches the movement of the second indicator being coupled to movement of the first indicator, Robertson teaches, in column 7, lines 3-11 and 30-37, and object being circled by the halo in response to a selection by the cursor. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the coupled second selection method as did Robertson. One would have been motivated to make such a combination because selection and manipulation in this manner would be a convenient manner of navigating the 3D interface.

27. With regard to claim 12, which teaches the second rendering restoring the indicator to a preferred position relative to the display unit, EA teaches, in EAfigs

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4-8, that the indicator through the views remains fixed on the selected object, which resides in the center of the display.

28. With regard to claim 13, which teaches the second indicator specifying a selected point in the first view of the 3D space and the second view relocating the first the first indicator to a position on the 2D surface that is associated with the selected point, Robertson teaches, in column 7, lines 3-11 and 30-37, and object being circled by the halo in response to a selection by the cursor. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the coupled second selection method as did Robertson. One would have been motivated to make such a combination because selection and manipulation in this manner would be a convenient manner of navigating the 3D interface.

29. With regard to claim 14, which teaches the position associated with the selected point being on the 2D surface and being intersected by a line normal to the 2D surface through the selected point, EA teaches, in EAfigs 2 and 3 the user moving the indicator near to an axis normal the surface of the object.

30. With regard to claim 15, which teaches the second view from a second reference point being closer to the first indicator than the first reference point, EA teaches, in figures 6 and 7, and through the use of the square and circle buttons the zooming in and out on an object.

31. With regard to claim 16, which teaches the second view being from the first reference point, Robertson further teaches, in column 10, lines 6-15, the user

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using head movements to "look around" an environment that is capable of panning (see column 5, lines 15 and 16). It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the 3D environment viewing method of EA to include the ability to look around from a fixed point in the space.

32. With regard to claim 25, which teaches an article comprising a machine-readable medium that stores machine executable instructions, causing the machine to: render a first view of a 3D space from a first reference point, the 3D space comprising objects, a 2D surface, and a first indicator in the 2D surface (see EAfigs 2-9 and manual page 15) the 2D surface (the display screen in which the image is projected on) is located on a 3D space on the display (the screen showing a plane (field) with objects (players) displayed perpendicular to the plane), and the objects being specified by a locator (ring) located under a player in the object (player). EA, however, doesn't teach the use of a second indicator movable in the view, and rendering a second view of the space as a function of the users control of the second indicator. Robertson teaches a 3D environment comprising objects similar to that of EA, but further teaches, in column 7, lines 3-11 and 30-37 and in column 4, lines 30-46, the user selecting an object through the user of the second indicator and the display being manipulated rendering a second view as a function of the selection. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the alternate selection an manipulation method as did Robertson. One would

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have been motivated to make such a combination because selection and manipulation in this manner would be a convenient manner of navigating the 3D interface.

33. With regard to claim 26, which teaches the movement of the first indicator being coupled to movement of the second indicator, Robertson teaches, in column 7, lines 3-11 and 30-37, and object being circled by the halo in response to a selection by the cursor. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the coupled second selection method as did Robertson. One would have been motivated to make such a combination because selection and manipulation in this manner would be a convenient manner of navigating the 3D interface.

34. With regard to claim 27, which teaches the second rendering restoring the indicator to a preferred position relative to the display unit, EA teaches, in EAfigs 4-8, that the indicator through the views remains fixed on the selected object, which resides in the center of the display.

35. With regard to claim 28, which teaches the second representation enhancing representation of the object located at the position associated with the selected point being on the 2D surface and being intersected by a line normal to the 2D surface through the selected point, EA teaches, in EAfigs 2 and 3, two different view where the user moves the indicator near to an axis normal the surface of the object. As far as enhancing the representation of the object, EA

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teaches, in EAfigs 6 and 7, and through the use of the square and circle buttons, the zooming in and out on an object.

36. With regard to claim 29, which teaches the user's control of the second indicator specifying a selected object from the objects in the space, and the second projection comprising the first indicator located on the 2D surface at a position associated with the selected object. Robertson teaches, in column 7, lines 3-11 and 30-37, and object being circled by the halo in response to a selection by the cursor. It would have been obvious to one of ordinary skill in the art, having the teachings of EA and Robertson before him at the time the invention was made to modify the selection method of EA to include the coupled second selection method as did Robertson. One would have been motivated to make such a combination because selection and manipulation in this manner would be a convenient manner of navigating the 3D interface.

Response to Arguments

37. The arguments filed on 4-21-2004 have been fully considered but they are not persuasive. Reasons set forth below.

38. The applicants' argue that EA does not show any 2D surface comprising a 2D projection of a 3D space.

39. In response, the examiner respectfully submits that EA teaches, in figures 2-9, a 2D surface (the display screen in which the image is projected on), a 3D space on the display (the screen showing a plane (field) with objects (players) displayed perpendicular to the plane), and the 2D surface (the field) lying obliquely to the display. The 3D nature of the system is further shown by the

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playing field showing smaller numbers (yardage markers) closer to the dashes (hash marks) of the field, higher on the screen, so as to show depth.

40. The applicants' argue that EA does not show an indicator constrained to the 2D surface to identify a center of interest in the 3D space.

41. In response, the examiner respectfully submits that EA teaches, in figures 2-9, a blue ring confined to the field surface, which lies obliquely to the 2D display surface, used to select an item (player) in the 3D surface.

42. The applicants' argue that there is no motivation to combine the references of EA and Robertson.

43. In response, the examiner respectfully submits that EA teaches, in figures 2-9, a system analogous to that the Roberson teaches, in column 7, lines 3-11 and 30-37, in column 9, lines 56-64, and in figures 8-11, a user interface that comprises a 2D plane, which lies obliquely to the display, where items are selected from a 3D space via an indicator.

Conclusion

44. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

45. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory

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period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

47. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

48. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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dgb



RAYMOND J. BAYERL
PRIMARY EXAMINER
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